

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

BRIAN BACON,

Defendant.

11 Cr. 134 (KPF)

**ORDER**

KATHERINE POLK FAILLA, District Judge:

The Court has received a letter from Defendant Brian Bacon requesting the Court assist him with a transfer between prison facilities and engage in a review of one of his earlier convictions. (Dkt. #18). While the Court appreciates Mr. Bacon's concerns and hopes that he can conclude his sentence comfortably and without further incident, the Court does not have the ability to address either of Mr. Bacon's requests. The Court issued its judgment on May 7, 2019, imposing a sentence of one year for the violation of supervised release to run concurrently with Defendant's ongoing state sentence. (Dkt. #15). This Court's involvement in Mr. Bacon's case ended with the imposition of sentence. Mr. Bacon has now returned to New York State's custody, and the Court has no authority over the housing of prisoners within New York State's prison system.

The Court understands that the conviction which the Defendant wishes to have reexamined is the 1984 New York conviction that was the subject of the decision in *United States v. Bacon*, 94 F.3d 158, 160 (4th Cir. 1996). The Court's jurisdiction in this case does not extend to the review of convictions before other courts. The Court notes that Mr. Bacon mentions his efforts to retain counsel to challenge the validity of this conviction. (Dkt. #18). The

Court expects counsel will provide Mr. Bacon the proper procedural steps that he must take to obtain further review of this conviction.

SO ORDERED.

Dated: June 12, 2019  
New York, New York



---

KATHERINE POLK FAILLA  
United States District Judge

*A copy of this Order was mailed by Chambers to:*

Brian Bacon  
DIN #15A2942  
Green Haven Correctional Facility  
594 Rt. 216  
Stormville, New York 12582-0010